



Docket No.: 057810-0090

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277
Makoto IZUMI, et al. : Confirmation Number: 8398
Application No.: 10/799,610 : Group Art Unit: 2811
Filed: March 15, 2004 : Examiner: L. Tran

For: SOLID STATE IMAGE DEVICE AND METHOD OF FABRICATING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action dated June 6, 2005, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 1 through 8, directed to a device; or

Group II. Claims 9 through 21, directed to a method.

In response Applicants elect to prosecute device claims 1 through 8 (Group I). Favorable consideration of claims 1 through 8 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

10/799,610



Respectfully submitted,

McDERMOTT WILL & EMERY LLP


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Date: June 28, 2005